

HOUSE BILL 3263

By Halford

AN ACT to amend Tennessee Code Annotated, Title 43,
Chapter 29, Part 1, relative to agriculture
commodities promotion.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 43-29-103(10), is amended by
deleting the subdivision in its entirety and substituting instead:

(10) "Purchaser" means any person who purchases or receives such commodity
from producers;

SECTION 2. Tennessee Code Annotated, Section 43-29-109, is amended by deleting
the second sentence in its entirety and substituting instead the following:

Each purchaser shall submit to the department or to the department's contractor
or designee the total amount of funds withheld from producers on or before a date
specified by the commissioner. The assessment levied on each head of cattle sold shall
not apply to cattle purchased by a purchaser whose only share in the proceeds of a sale
is a sales commission or handling fee or other service fee and who has delivered the
cattle to facilitate the transfer of ownership from the seller and a third party. These cattle
must be resold within ten (10) days from the date on which the person acquired
ownership, with certification made to the department on forms approved by the
commissioner.

SECTION 3. Tennessee Code Annotated, Section 43-29-115, is amended by deleting
the language of subsection (e) in its entirety and substituting instead:

(e) An annual report of its activities shall be filed with the commissioner on or
before the date specified by the commissioner.

SECTION 4. Tennessee Code Annotated, Section 43-29-118, is amended by deleting the section in its entirety and substituting instead:

(a) The Tennessee beef promotion board shall be composed of twelve (12) members, to be appointed by the commissioner to serve for terms of three (3) years, as hereinafter provided. All twelve (12) members of the board shall be producers of beef animals or representatives of the beef industry in the state.

(b) The Tennessee beef promotion board shall be the current Tennessee beef industry council, as certified under 7 CFR 1260.315. Vacancies that occur shall be filled by the commissioner from individuals nominated by the organizations that are currently represented on the board of directors of the Tennessee beef council and in the current representation ratios.

(c) The commissioner or the commissioner's designee shall be an ex officio nonvoting member of the board.

SECTION 5. Section 4 of this act shall take effect July 1, 2012, the public welfare requiring. The remaining sections of this bill shall take effect upon becoming law, the public welfare requiring it.